

REMARKS

Applicants have amended their claims in order to further clarify the definition of various aspects of the present invention, for facilitating proceedings in connection with the above-identified application. Specifically, applicants have incorporated the subject matter of claim 3 into claim 1; and, correspondingly, have cancelled claim 3 without prejudice or disclaimer.

In addition, applicants have set forth the subject matter of previously considered claim 7 in independent form, as new claim 11; and, correspondingly, have cancelled claim 7 without prejudice or disclaimer. Furthermore, applicants have amended the dependency of claim 8, to be dependent on new claim 11.

Initially, it is respectfully requested that the present amendments be entered, notwithstanding finality of the Office Action mailed February 11, 2005. In this regard, the indication by the Examiner that claims 3 and 7 would be allowable if rewritten in independent form, set forth in the last paragraph on page 3 of this Office Action mailed February 11, 2005, is noted. In view of the present amendments, wherein claims 3 and 7 are set forth in independent form, respectively as claims 1 and 11, claims 1 and 11 being the only independent claims in the application, it is respectfully submitted that the present amendments clearly materially limit any issues remaining in the application; and, as discussed infra, the present amendments provide all remaining claims in allowable condition. Emphasizing that claims 1 and 11 set forth subject matter of previously considered claims 3 and 7 in independent form, it is respectfully submitted that the present amendments do not raise any new issues, including any issue of new matter. As the Examiner for the first time in the Office Action mailed February 11, 2005, indicated allowable subject matter in claims 3 and 7, it is respectfully submitted that the

present amendments are timely.

In view of the foregoing, it is respectfully submitted that applicants have made the necessary showing under 37 C.F.R. 1.116(c) for entry of the present amendments; and, accordingly, it is respectfully submitted that entry of the present amendments is clearly proper, notwithstanding the finality of the Office Action mailed February 11, 2005.

The rejection of claims 1, 2, 4-6 and 8 as anticipated by the teachings of Tanaka, et al., set forth on pages 2 and 3 of the Office Action mailed February 11, 2005, is noted. It is respectfully submitted that this rejection is moot, in light of incorporation of subject matter of claim 3 into claim 1, and setting forth of claim 7 in independent form, as new claim 11.

In view of the foregoing comments and amendments, entry of the present amendments, and reconsideration and allowance of all claims presently in the application, are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 503.38289CC2), and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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